OLT 2 1 2003 W

## BEST AVAILABLE COPY

PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3739

<b>TRANSMITTAL</b>
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	08/841,664
Filing Date	April 23, 2001
First Named Inventor	Goldman
Art Unit	3739
Examiner Name	Rosiland Kearney
Attorney Docket Number	VNUS-57470

			ENCLOSE	URES (check all tha	it apply)	
Fee Transmi	ttal Form		Drawing(s	(s)		After Allowance communication to Group
Fee /	Attached		Licensing	g-related Papers		Appeal Communication to Board of Appeals and Interferences
Amendment	i / Reply		Petition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
Afte	er Final			o Convert a nal Application		Proprietary Information
Affic	davits/declaration(s)			Attorney, Revocation of Correspondence		Status Letter
Extension of	f Time Request		Terminal	Disclaimer	$ \Sigma $	Other Enclosure(s) (please identify below):
Express Aba	andonment Request		Request	for Refund		postcard
Information D	Disclosure Statement		CD, Num	nber of CD(s)		RECEIVED
Certified Co	ppy of Priority	Remar				OCT 3 0 2003
	o Missing Parts/	Non-a.	K5		TE	ECHNOLOGY CENTER R3700
Res	ponse to Missing Parts	•				-
L unde	er 37 CFR 1.52 or 1.53					
	SIGNATUF	E OF A	PPLICA	NT, ATTORNEY, OR A	AGENT	
Firm or	Fulwider Patton Lee & James Juo, Registration					
Individual name	A A	3H 140. 5	0, 177			,
Signature						
Datê	(// 10/	120/	/03	****		
	CEI	OTIEIC	475 AE	TOANGMICCIONA		
I hereby certify that the				TRANSMISSION/N		ne United States Postal Service with
	no con coponacino io con.	A 1000	#6 agricin		OSIGO MILLO	IG CHILEO STORES LOSTOL SELVICE MINI

sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Typed or printed name

Signature

Date

Date

10/20/03

This collection of information is required by \$7 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and the content of the content

This collection of information is required by TCFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Parent of Reductor Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL	Complete if Known					
	Application Number	09/841,664				
for FY 2004	Filing Date	April 23, 2001	-			
Effective 10/01/2003. Patent fees are subject to annual revision.	First Named Inventor	Goldman, et al.				
Applicant claims small entity status. See 37 CFR 1.27	Examiner Name	Rosiland Kearney				
	Art Unit	3739				
TOTAL AMOUNT OF PAYMENT (\$) \$55.00	Attorney Docket No.	VNUS-57470				

METHOD OF PAYMENT (check all that apply)				FE	EE CALCULATION (continued)	
Check Credit card Money Other None			DNAL			
Deposit Account:	Large F	Fee	Fee	l Entity Fee	<u> </u>	ee Paid
Deposit Account 06-2425	Code 1051	( <b>\$</b> ) 130	2051	( <b>\$</b> ) 65	Surcharge - late filing fee or oath	
Number	1052	50	2052	25	Surcharge - late provisional filing fee or cover	
Account Name Fulwider Patton	1053	130	1053	130	Non - English specification	
The Director is authorized to: (check all that apply)		2,520			For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner	
Charge any additional fee(s) or any underpayment of fee(s)	1805	1.840°	1805	1,840*	action L Requesting publication of SIR after Examiner	
Charge fee(s) indicated below, except for the filing fee	ľ				action	55.00
o the above-identified deposit account.	1251	110	2251		Extension for reply within first month	55.00
FEE CALCULATION	1252	420	2252		Extension for reply within second month	
1. BASIC FILING FEE	1253	950	2253		Extension for reply within third month	
Large Entity   Small Entity	1254	1,480	2254	740	Extension for reply within fourth month	
Fee Fee Fee Fee Description Code (\$)   Code (\$) Fee Paid	1255	2,010	2255	1,005	Extension for reply within fifth month	
1001 770 2001 385 Utility filing fee	1401	330	2401	165	Notice of Appeal	
1002 340 2002 170 Design filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1003 530 2003 265 Plant filing fee	1403	290	2403	145	Request for oral hearing	
1004 770 2004 385 Reissue filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive - unavoidable	ÆD
SUBTOTAL (1) (\$)	1453	1,330	2453	665	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND	1501	1,330	2501	665	Utility issue fee (or reissue) OCT 3 0 7	2003
Fee from	1502	480	2502	240	Design issue fee	
Extra Claims below Fee Paid	1503	640	2503	320	Plant issue fee TECHNOLOGY CEN	TED DOZO
Total Claims	1460	130	1460	130	Petitions to the Commissioner	120 1070
Claims Use Claims Wultiple Dependent =	1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
arge Entity   Small Entity	1806	180	1806	180	Submission of Information Disclosure Statement	
Fee Fee Fee Fee Description Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection	
1201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	(37 CFR § 1.129(a))  For each additional invention to be examined	
1203 290 2203 145 Multiple dependent claim, if not paid	4004	~~~			(37 CFR § 1.129(b))	
1204 86 2204 43 ** Reissue independent claims over original patent	1801 1802	770 900	2801 1802	900	Request for Continued Examination (RCE)  Request for expedited examination	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent			pecify)		of a design application	
SUBTOTAL (2) (\$) \$0.00		,	•			
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) \$55.00						
SUBMITTED BY Complete (if applicable)						

SUBMITTED BY					Complete (if applicable)		
Name (Print/Type)	A James Juo	Registration No. (Attorney/Agent)	36,177	Telephone 310 824-55		i55	
Signature	fol			Date	10/20/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATOR MAILING UNDER 37 C.F.R. § 1.8

#12/C

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 20, 2003.

James July 10/20/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 09/841,664

Entitled:

Method and Apparatus for Applying Energy To Biological Tissue

Including The Use of Tumescent Tissue Compression

Applicant Filed

: Goldman, et al.

Art Unit

: April 23, 2001 : 3739

Examiner

: Rosiland Kearney

Docket No.:

VNUS-57470

Customer No.

: 24201

RECEIVED

OCT 3 0 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TECHNOLOGY CENTER R3700

## **AMENDMENT**

## Dear Sir:

This Amendment is responsive to the Office action of June 18, 2003, the response for which is due September 18, 2003. A one-month request for extension of time to file is being filed concurrently herewith.